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In re Application of
Jeffrey Mark Zucker, et al
Application No. 09/100,671
Filed: June 19, 1998
Attorney Docket No. 26704.7

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 21, 1999, to revive the above-identified application. This is also a decision on the petition under 37 CFR 1.181, which is being treated as a petition under 37 CFR 1.182 to expedite the petition to revive.

The petitions are granted.

This application became abandoned for failure to timely reply to the Office action mailed July 7, 1998. A Notice of Abandonment was mailed on April 22, 1999.

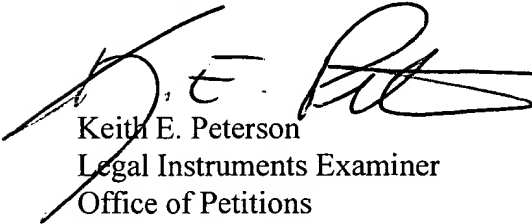
The statement of unintentional delay presented in the petition does not comply with the current rule. Effective December 1, 1997, 37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional" be submitted. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was

unintentional." If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

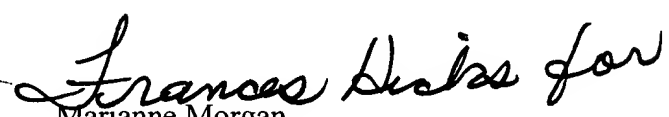
The Verified Statement Claiming Small Entity Status of June 21, 1999 has been made of record and small entity status has been accorded.

This application will be retained in the Office of Petitions for appropriate action in due course on the petition under 37 CFR 1.47(a) filed concurrently with the instant petition to revive.

Telephone inquiries concerning this matter may be directed to Keith E. Peterson at (703) 308-6910.



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